

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

September 30, 2009

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Adam Coggin
Commissioner Gary Farley
Commissioner Jeff Jordan
Commissioner Jeff Phillips
Commissioner John Rodgers, C

OTHERS PRESENT:

Keith Bratcher Susan Allen
William Murray David Nipper
Steve Schroeder
Vular Anderson
Becky Shelton

Chairman Rodgers presided and called the meeting to order at 5:30 p.m. with five members being present at that time.

MINUTES:

"Commissioner J. Jordan moved, seconded by Commissioner Farley, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

FILL VACANCY ON BOARD OF ZONING APPEALS:

Chairman Rodgers advised applications had been received from Keith Bratcher and David Nipper for appointment to the vacancy on the Board of Zoning Appeals. Both applicants addressed the Committee advising why they wished to serve. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Black, to nominate both applicants and vote for one. This motion passed unanimously by acclamation. Keith Bratcher will be recommended for appointment to the Board of Zoning Appeals with Commissioners Black, Farley, J. Jordan, Phillips and Rodgers voting for Bratcher and Commissioner Coggin voting for Nipper."

FILL TWO VACANCIES ON BEER BOARD:

Chairman Rodgers advised applications had been received from David Nipper, Keith Bratcher, William L. Murray and Alford Fann for appointment to the two vacancies on the Beer Board. The applicants in attendance were allowed to address the Committee on why they wished to serve on the Board. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Phillips, to nominate all four applicants and vote for two. This motion passed unanimously by acclamation. Keith Bratcher and William Murray will be recommended for appointment to fill the two vacancies on the Beer Board with Commissioner Black voting for Bratcher and Murray; Commissioner Coggin voting for Bratcher and Nipper; Commissioner Farley voting for Bratcher and Murray; Commissioner J. Jordan voting for Bratcher and Murray; Commissioner Phillips voting for Nipper and Murray and Commissioner Rodgers voting for Bratcher and Murray."

HUMAN RESOURCES REPORT:

Ms. Stephenson will present this report at the next Steering Committee meeting.

COUNTY ATTORNEY'S OFFICE:

Commissioner Phillips advised with the comments in the

newspapers regarding a County Law Department he wondered if the Chairman had any information and could address the situation. Chairman Rodgers advised he viewed the issues as indemnity for the attorney as to acts in the scope of his work and the hiring of outside counsel under the Private Act.

As to indemnity, Chairman Rodgers advised the County has historically treated the County Attorney as an employee and not a vendor and provided benefits and assistance. And if this is the case, the County would generally indemnify the employee and take on the defense of the case. Chairman Rodgers advised he did not think the County would leave any other employee on their own.

Chairman Rodgers advised as to the Private Act that it does have a provision on the Commission approving outside counsel and didn't think there was any intent to circumvent this provision. The legal intent in 1957 when the Private Act was adopted is unknown at this time. Some litigation has a short time frame and there could potentially be a default judgment filed under certain circumstances. Chairman Rodgers advised he thought the County Mayor needed discretion to hire outside counsel and legislation will be forwarded to amend the Private Act. Further, when outside counsel has been hired it has not been a secret and by implication the Commission may have approved the same by taking no action.

There appearing to be no further business to come before the Committee, Chairman Rodgers declared the meeting adjourned at 6:00 p.m.

JOHN RODGERS, Chairman